

1 Michael D. Braun (167416)  
2 BRAUN LAW GROUP, P.C.  
3 12400 Wilshire Blvd., Suite 920  
4 Los Angeles, CA 90025  
5 Tel: (310) 442-7755  
6 Fax: (310) 442-7756

**Liaison Counsel for Plaintiff and the Class**

5 Maya Saxena  
6 Joseph E. White, III  
7 SAXENA WHITE P.A.  
8 2424 North Federal Highway, Suite 257  
9 Boca Raton, FL 33431  
10 Tel: (561) 394-3399  
11 Fax: (561) 394-3382

Michael A. Swick  
Kim E. Miller  
KAHN GAUTHIER SWICK, LLC  
12 East 41st St., 12th Floor  
New York, NY 10017  
Tel: (212) 696-3730  
Fax: (504) 455-1498

10 Lewis Kahn  
11 KAHN GAUTHIER SWICK, LLC  
12 650 Poydras Street, Suite 2150  
13 New Orleans, LA 70130  
14 Tel: (504) 455-1400  
15 Fax: (504) 455-1498

**Lead Counsel for Plaintiff and the Class**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

18 ADRIAN MONGELI, Individually, And )  
19 On Behalf Of All Others Similarly Situated, )

20 Plaintiff, )

21 vs. )

22 TERAYON COMMUNICATIONS )  
23 SYSTEMS, INC., ZAKI RAKIB, JERRY )  
24 D. CHASE, MARK A. RICHMAN, )  
25 EDWARD LOPEZ, RAY FRITZ, CAROL )  
26 LUSTENADER, MATTHEW MILLER, )  
27 SHLOMO RAKIB, DOUG SABELLA, )  
28 CHRISTOPHER SCHAEPE, MARK )  
SLAVEN, LEWIS SOLOMON, HOWARD )  
W. SPEAKS, ARTHUR T. TAYLOR, )  
DAVID WOODROW, and ERNST & )  
YOUNG, LLP )

Defendants. )

**CASE NO.: 3-06-CV-03936 MJJ**

**CLASS ACTION**

**PROOF OF SERVICE OF CLERK'S  
NOTICE VACATING MOTIONS  
HEARING**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ADRIAN G. MONGELI, et al., ,

Plaintiff(s),

v.

TERAYON COMMUNICATIONS SYSTEMS,  
INC., et al.,

Defendant(s),

No. C06-3936 MJJ

**CLERK'S NOTICE  
VACATING MOTIONS  
HEARING**

(Plaintiff is required to serve, and file proof of service with the Court, any party involved not listed on the Notice of Electronic Filing)

YOU ARE NOTIFIED THAT the hearing regarding defendants' Motions to Dismiss, previously set for July 24, 2007 at 9:30 a.m. before the Honorable Martin J. Jenkins is **VACATED and RESET for Wednesday, October 10, 2007 at 2:30 p.m.**

Please report to Courtroom 11, on the 19th floor, U.S. Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102.

Dated: 7/27/07

FOR THE COURT,

Richard W. Wicking, Clerk

By: 

Edward Butler  
Courtroom Deputy

Please refer to Judge Jenkins' Standing Order located at [www.cand.uscourts.gov](http://www.cand.uscourts.gov) for additional information. Pursuant to the Standing Order, the rescheduling of a hearing date for a motion does not change the date on which an opposition brief or reply brief is due; any opposition brief remains due not less than 21 days prior to the date of the *originally noticed* hearing and any reply brief is due not less than 14 days prior to the *originally noticed* hearing date.

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA )  
3 COUNTY OF LOS ANGELES ) ss.:

4 I am employed in the county of Los Angeles, State of California, I am over the age of 18 and  
5 not a party to the within action; my business address is 12400 Wilshire Boulevard, Suite 920, Los Angeles, CA 90025.

6 On July 27, 2007, I served the document(s) described as **CLERK'S NOTICE VACATING**  
7 **MOTIONS HEARING** by placing a true copy(ies) thereof enclosed in a sealed envelope(s) addressed as follows:

8 **SEE ATTACHED SERVICE LIST**

9 I served the above document(s) as follows:

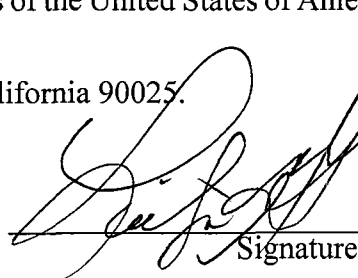
10 xx BY FACSIMILE TRANSMISSION. I caused a facsimile machine transmission from facsimile  
11 machine telephone number (310) 442-7756 to the facsimile machine telephone number(s) on  
12 the attached Service List. Upon completion of said facsimile machine transmission(s), the  
transmitting machine issued a transmission report(s) showing the transmission(s) was/were  
complete and without error.

13 xx BY MAIL. The envelope(s) was/were mailed with postage thereon fully prepaid. I am familiar  
14 with the firm's practice of collection and processing correspondence for mailing. Under that  
15 practice it would be deposited with U.S. postal service on that same day with postage thereon  
16 fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on  
motion of the party served, service is presumed invalid if postal cancellation date or postage  
meter date is more than one day after date of deposit for mailing in an affidavit.

17 I declare under penalty of perjury under the laws of the United States of America that the above  
is true and correct.

18 Executed on July 27, 2007, at Los Angeles, California 90025.

19  
20 LEITZA MOLINAR  
21 Type or Print Name

22  
23  
24  
25  
26  
27  
28  
  
Signature

**SERVICE LIST**

Maya Saxena, Esq.  
Joseph E. White, III., Esq.  
SAXENA WHITE P.A.  
2424 North Federal Highway, Suite 257  
Boca Raton, FL 33431  
Tel: (561) 394-3399  
Fax: (561) 394-3382

Lewis Kahn, Esq.  
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KAHN GAUTHIER SWICK, LLC  
650 Poydras Street, Suite 2150  
New Orleans, LA 70130  
Tel: (504) 455-1400  
Fax: (504) 455-1498

**Counsel for Lead Plaintiff  
Adrian G. Mongeli and the Class**

Bruce M. Cormier, Esq.  
Joel E. Bonner, Esq.  
ERNST & YOUNG LLP  
1225 Connecticut Avenue, NW  
Washington, D.C. 20036  
Tel: (202) 327-7603  
Fax: (202) 327-7601

**Counsel for Defendant  
Ernst & Young LLP**



12400 WILSHIRE BLVD., STE. 920  
LOS ANGELES, CA 90025  
TEL: (310) 442-7755  
FAX: (310) 442-7756

## FAX COVER SHEET

FAX TRANSMITTED TO: SEE ATTACHED SERVICE LIST

FROM: Leitza Molinar, Legal Assistant  
CLIENT/MATTER: Mongeli v. Terayon Communication Systems, Inc., et al.  
DATE: July 28, 2007

DOCUMENTS	NUMBER OF PAGES*
Clerk's Notice Vacating Motions Hearing.	5

COMMENTS:

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**SERVICE LIST**

Maya Saxena, Esq.  
Joseph E. White, III., Esq.  
SAXENA WHITE P.A.  
2424 North Federal Highway, Suite 257  
Boca Raton, FL 33431  
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**Counsel for Lead Plaintiff  
Adrian G. Mongeli and the Class**

Bruce M. Cormier, Esq.  
Joel E. Bonner, Esq.  
ERNST & YOUNG LLP  
1225 Connecticut Avenue, NW  
Washington, D.C. 20036  
Tel: (202) 327-7603  
Fax: (202) 327-7601

**Counsel for Defendant  
Ernst & Young LLP**

## BROADCAST REPORT

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05

DATE	TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	COMMENT
07/27	13:56	915613943382	01:33	05	OK	
07/27	13:58	915044551498	48	05	OK	ECM
07/27	14:00	912023277601	58	05	OK	ECM

BUSY: BUSY/NO RESPONSE  
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 CV : COVERPAGE  
 PC : PC-FAX

**PROOF OF SERVICE**

STATE OF CALIFORNIA                     )  
  )ss.:  
COUNTY OF LOS ANGELES             )

I am employed in the county of Los Angeles, State of California, I am over the age of 18 and not a party to the within action; my business address is 12400 Wilshire Boulevard, Suite 920, Los Angeles, CA 90025.

On July 27, 2007, using the Northern District of California's Electronic Case Filing System, with the ECF ID registered to Michael D. Braun, I filed and served the document(s) described as:

**PROOF OF SERVICE OF CLERK'S NOTICE VACATING MOTIONS HEARING**

The ECF System is designed to automatically generate an e-mail message to all parties in the case, which constitutes service. According to the ECF/PACER system, for this case, the parties served are as follows:

Lionel Z. Glancy, Esq. [info@glancylaw.com](mailto:info@glancylaw.com)

Michael M. Goldberg, Esq. [info@glancylaw.com](mailto:info@glancylaw.com)

**Counsel for Plaintiffs**

Patrick Edward Gibbs, Esq. [patrick.gibbs@lw.com](mailto:patrick.gibbs@lw.com)  
[zoila.aurora@lw.com](mailto:zoila.aurora@lw.com)

**Counsel for Defendant  
Terayon Communications Systems, Inc.  
and Individual Defendants**

Sheila Anil Jambekar, Esq. [sjambekar@morganlewis.com](mailto:sjambekar@morganlewis.com)

**Counsel for Defendant Ernst & Young LLP**

On July 27, 2007, I served the document(s) described as:

**PROOF OF SERVICE OF CLERK'S NOTICE VACATING MOTIONS HEARING**

by placing a true copy(ies) thereof enclosed in a sealed envelope(s) addressed as follows:

Maya Saxena, Esq.  
Joseph E. White, III., Esq.  
SAXENA WHITE P.A.  
2424 North Federal Highway, Suite 257  
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///

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Michael A. Swick, Esq.  
2 KAHN GAUTHIER SWICK, LLC  
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4 Fax: (504) 455-1498

5 **Lead Counsel for Plaintiff**  
**Adrian G. Mongeli and the Class**

6 Bruce M. Cormier, Esq.  
7 Joel E. Bonner, Esq.  
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9 Tel: (202) 327-7603  
Fax: (202) 327-7601

10 **Counsel for Defendant**  
11 **Ernst & Young LLP**

12 I served the above document(s) as follows:

13 BY MAIL. I am familiar with the firm's practice of collection and processing  
correspondence for mailing. Under that practice it would be deposited with U.S. postal service on  
14 that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of  
business. I am aware that on motion of the party served, service is presumed invalid if postal  
15 cancellation date or postage meter date is more than one day after date of deposit for mailing in an  
affidavit.

16 I declare, pursuant to Civil L.R. 23-2, that on the date hereof I served a copy of the above-  
17 listed document(s) on the Securities Class Action Clearinghouse by electronic mail through the  
following electronic mail address provided by the Securities Class Action Clearinghouse:

18 **scac@law.stanford.edu**

19 I am employed in the office of a member of the bar of this Court at whose direction the  
20 service was made.

21 I declare under penalty of perjury under the laws of the United States that the above is true  
and correct.

22 Executed on July 27, 2007, at Los Angeles, California 90025.  
23  
24

25 /S/ LEITZA MOLINAR  
Leitza Molinar  
26  
27  
28